

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-8 remain in the application. Claim 1 has been amended. Claim 2 has been cancelled.

In the section entitled "Claim Rejections - 35 USC § 103" on pages 3-7 of the above-mentioned Office action, claims 1 and 3-6 have been rejected as being unpatentable over Sun et al. (US Pat. No. 5,612,249) in view of Joseph et al. (US Pat. No. 5,907,777) under 35 U.S.C. § 103(a); claims 7-8 have been rejected as being unpatentable over Sun et al. and Joseph et al. and further in view of Krautschneider (US Pat. No. 5,854,500) under 35 U.S.C. § 103(a).

The rejections have been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. More specifically, the language of claim 1 has been amended to even more clearly reflect the differences between Sun et al. and the invention of the instant application as discussed in the response to the previous Office action dated April 17, 2003.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

said gate oxide insulating said gate from said semiconductor substrate and having a thickened area in a region below at least one of said side walls adjacent said conductive regions.

The Examiner has stated that the differences between Sun et al. and the invention of the instant application as pointed out by Applicants in the response to the previous Office action dated April 17, 2003 are not reflected in the claim language (see the first paragraph on page 2 of the Office action). The language of claim 1 has been amended to clearly reflect the differences.

As clearly recited in amended claim 1 of the instant application, the bird's beaks (the thickened area) 5 are located between the gate 3 and the drain and/or source, and are under those side walls 22 which are adjacent the source and drain (the conductive regions). They fulfill the function of reducing the Gate Induced Drain Leakage (GIDL). In contrast, the bird's beaks according to Sun et al. are situated at the sides parallel to the current flow (compare the sketch provided in the response to the previous Office action dated April 17, 2003 and Figs. 15 and 18-20). See also

the text on pages 3-6 of the response to the previous Office action dated April 17, 2003 for more detailed discussion.

The bird's beaks according to Sun et al. are produced as a side effect of the process and are not wanted. They do not fulfill any function.

Neither Joseph et al. nor Krautschneider make up the differences between Sun et al. and the invention of the instant application.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

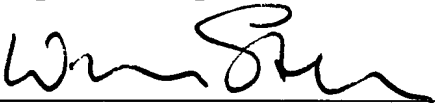
In view of the foregoing, reconsideration and allowance of claims 1-8 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out. In the alternative, the entry of the amendment is requested as it is believed to place the application in better condition

for appeal, without requiring extension of the field of search.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,



For Applicants

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